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| COUNSEL/PARTIES OF RECORD  |                                    |
| <div style="border: 1px solid black; padding: 5px; margin: 5px auto; width: 150px;"> <b>NOV 19 2013</b> </div> |                                    |
| CLERK US DISTRICT COURT<br>DISTRICT OF NEVADA  |                                    |
| BY: _____  | DEPUTY _____                       |

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

ARTURO TORRES OCHOA,

Plaintiff,

vs.

D. SOUTHWORTH, et al.,

Defendants.

Case No. 3:13-cv-00621-RCJ-WGC

**ORDER**

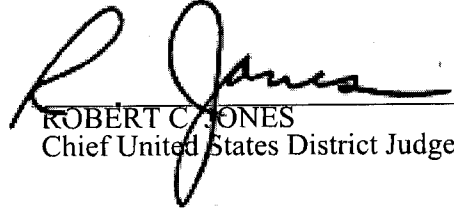
Plaintiff, who is a prisoner in the custody of the Nevada Department of Corrections, has submitted a civil rights complaint pursuant to 42 U.S.C. § 1983. Plaintiff has not submitted an application to proceed in forma pauperis. However, on at least three occasions this court has dismissed actions commenced by plaintiff while he was a prisoner because they were frivolous or malicious or because they failed to state a claim upon which relief can be granted.<sup>1</sup> Plaintiff cannot proceed in forma pauperis in this action unless he is in imminent danger of serious physical injury. See 28 U.S.C. § 1915(g). Plaintiff has not alleged, and the subject matter of this action does not indicate, that he is in imminent danger of serious physical injury. Plaintiff must pre-pay the filing fee in full.

IT IS THEREFORE ORDERED that plaintiff shall pay the full filing fee of three hundred fifty dollars (\$350.00) within thirty days of the date that this order is entered. Failure to comply with this order will result in the dismissal of this action.

<sup>1</sup>See Ochoa v. Cook, 3:02-cv-00450-DWH-RAM; Ochoa v. Willis, 3:02-cv-00545-ECR-VPC; Ochoa v. Putter, 3:10-cv-00364-HDM-RAM.

1 IT IS FURTHER ORDERED that the clerk of the court shall provide plaintiff with two  
2 copies of this order. Plaintiff is ordered to make the necessary arrangements to have one copy of  
3 this order attached to the check in the amount of the designated fee.

4 Dated: This 19th day of November, 2013.

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7 ROBERT C. JONES  
8 Chief United States District Judge  
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